IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Gregory G. Griese et al.	
Docket No.:	117P45USD2	
Filed:	herewith	
Title:	PRODUCT DISPENSER AND CARRIER	

Cover Letter for Declarations

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The enclosed copies of the declarations are for the previously filed Application No. 10/121,440, filed April 10, 2002. Three declarations were filed in this previously filed application.

The first declaration was filed unexecuted on April 10, 2002 and is included in Exhibit 1. The second declaration was filed on June 24, 2002 in reply to the Notice to File Missing Parts of Nonprovisional Application and is included in Exhibit 2. The third declaration was filed on November 25, 2003 with a Request to Correct Inventorship under 37 CFR 1.48(a)(1), a Statement of Lack of Deceptive Intent under 37 CFR 1.48(a)(2), and the Assignee Consent to Deletion of an Inventor under 37 CFR 1.48(a)(5). Copies of these documents relating to the correction of inventorship are also enclosed and are included in Exhibit 3.

The specification and drawings submitted for the continuation application do not contain any subject matter that would have been new matter in the previous application.

Respectfully submitted,

GREGORY G. GRIESE ET AL.

Date: 02/12/2004

By: Robin A. Sannes

Reg. No.: 45,070 IPLM Group, P.A. P.O. Box 18455

Minneapolis, MN 55418 Telephone: (612) 331-7419 M&K: 117P45US01

MAU & KRULL, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PRODUCT DISPENSER AND CARRIER The specification of which a. is attached hereto b. was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto). I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed: a. \(\omega \) no such applications have been filed. b. such applications have been filed as follows: FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119 COUNTRY APPLICATION NUMBER DATE OF FILING DATE OF ISSUE (day, month, year) (day, month, year) ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S) COUNTRY APPLICATION NUMBER DATE OF FILING DATE OF ISSUE (day, month, year) (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Michael L. Mau

Reg. No. 30,087

Robin A. Sannes

Reg. No. 45,070

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mau & Krull, P.A., to the contrary.

Please direct all correspondence in this case to Mau & Krull, P.A., at the address indicated below:

Mau & Krull, P.A.
1250 Moore Lake Drive East
Suite E
Fridley, Minnesota 55432

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Sign	ature of Inventor 2	05:		Date:	
	T				
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Signa	ature of Inventor 2	07:		Date:	
				Date.	
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2	Full Name Of Inventor	Family Name Wilhelmson	First Given Name Trevor	Date.	Second Given Name J.
	Of Inventor	Wilhelmson	Trevor	Date.	J.
	Of Inventor Residence	Wilhelmson	Trevor State or Foreign Country	Date.	J. Country of Citizenship
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Signs	Of Inventor Residence & Citizenship Post Office Address sture of Inventor 20	Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court 8: Family Name	State or Foreign Country Minnesota City Inver Grove Heights		J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A.
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Signs	Of Inventor Residence & Citizenship Post Office Address ture of Inventor 20 Full Name Of Inventor Residence	Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court 88: Family Name Russell City	State or Foreign Country Minnesota City Inver Grove Heights First Given Name Scott State or Foreign Country		J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. Second Given Name T. Country of Citizenship
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Signs	Residence & Citizenship Post Office Address sture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office	City Inver Grove Heights Post Office Address 8458 Bradford Court 8: Family Name Russell City Woodbury Post Office Address	State or Foreign Country Minnesota City Inver Grove Heights First Given Name Scott State or Foreign Country Minnesota City		J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. Second Given Name T. Country of Citizenship U.S.A. State & Zip Code/Country
igns	Of Inventor Residence & Citizenship Post Office Address Address Ture of Inventor 20 Full Name Of Inventor Residence & Citizenship	City Inver Grove Heights Post Office Address 8458 Bradford Court 88: Family Name Russell City Woodbury Post Office Address 3138 Meadowbrook	State or Foreign Country Minnesota City Inver Grove Heights First Given Name Scott State or Foreign Country Minnesota		J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. Second Given Name T. Country of Citizenship U.S.A.

§ 1.56 Duty to disclose information materia, to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(if applicable) (in the case of a PCT-filed

(if any), which I have reviewed and for which I

DATE OF ISSUE

(day, month, year)

The specification of which a. is attached hereto

solicit a United States patent.

any amendment referred to above.

Federal Regulations, § 1.56 (attached hereto).

a. \(\square\) no such applications have been filed.

COUNTRY

b. such applications have been filed as follows:

application) described and claimed in international no.

that of the application on the basis of which priority is claimed:

MAU & KRULL, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PRODUCT DISPENSER AND CARRIER

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

DATE OF FILING

(day, month, year)

filed

and as amended on

b. 🖾 was filed on April 10, 2002, as application serial no. 10/121,440 and was amended on

APPLICATION NUMBER

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ALL FORI	EIGN APPLICATION(S), IF ANY, FI	LED BEFORE THE PRICE	DRITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
manner provided by the first parag	raph of Title 35, United States Cal Regulations, § 1.56(a) which o	s application is not dis	tates and PCT international application(s) listed sclosed in the prior United States application in the edge the duty to disclose material information as iling date of the prior application and the national
U.S. APPLICATION NUMBER	DATE OF FILING (d	ov month war	
•		ay, month, year)	STATUS (patented, pending, abandoned)
			i il
hereby claim the benefit under Ti	tle 35, United States Code § 119(e) of any United State	es provisional application(s) listed below:

Thereby appoint the following attorney(s) and Trademark Office connected herewith:

patent agent(s) to prosecute this application a... to transact all business in the Patent and

Michael L. Mau Robin A. Sannes

Reg. No. 30,087 Reg. No. 45,070

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mau & Krull, P.A., to the contrary.

Please direct all correspondence in this case to Mau & Krull, P.A., at the address indicated below:

Mau & Krull, P.A. 1250 Moore Lake Drive East Suite E Fridley, Minnesota 55432

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Griese	First Given Name Gregory	Second Given Name G.
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	Sha	n Chiti	Date: 6-/	1-02

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	Of Inventor	Netschke	Kathryn		Second Given Name
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		- My lilling		Date.	6-3-02
	Full Name	Family Name	First Circ. N		1
	Of Inventor	Klos	First Given Name		Second Given Name
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gna	ature of Inventor 20)6: \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		In	Minnesota 55386/U.S.A.
7		10: - 1 7 8 Cm		Date:	6/4/02
	Full Name	Family Name	First Given Name		S
- [Of Inventor	Lerbs	Jamie		Second Given Name
Į					W.
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- 1	& Citizenship	Mendota Heights	State or Foreign Country		Country of Citizenship
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	Post Office	Post Office Address	City		
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Çman	Address ture of Inventor 20	7: Chully	Mendota Heights First Given Name	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. C - 3 - 0 2 Second Given Name
rna i	Address ture of Inventor 20 Full Name	7: CONSTRUCTION Family Name	Mendota Heights	Date:	State & Zip Code/Country Minnesota 55120/U.S.A.
Ī	Address ture of Inventor 20 Full Name Of Inventor	7: Court Family Name Wilhelmson	Mendota Heights First Given Name Trevor	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. C - 3 - 0 2 Second Given Name
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	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office	7: Count 7: Count Family Name Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota		State & Zip Code/Country Minnesota 55120/U.S.A. C - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A.
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Lati	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office Address ure of Inventor 208	Family Name Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota City Inver Grove Heights	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. G - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A. State & Zip Code/Country
ıatı	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office Address ure of Inventor 208 Full Name	Family Name City Inver Grove Heights Post Office Address 8458 Bradford Court City Family Name	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota City	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. G - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. - 3 - 0 2
ıatı	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office Address ure of Inventor 208	Family Name Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota City Inver Grove Heights	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. G - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A.
nati	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office Address ure of Inventor 208 Full Name Of Inventor	Family Name Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court Family Name Russell	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota City Inver Grove Heights First Given Name	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. C - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. - 3 - 0 2 Second Given Name
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nati	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office Address ure of Inventor 208 Full Name Of Inventor	Family Name Wilhelmson City Inver Grove Heights Post Office Address 8458 Bradford Court Family Name Russell	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota City Inver Grove Heights First Given Name Scott State or Foreign Country	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. G - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. - 3 - 0 2 Second Given Name T. Country of Citizenship
nati	Address ture of Inventor 20 Full Name Of Inventor Residence & Citizenship Post Office Address ure of Inventor 208 Full Name Of Inventor Residence & Citizenship	Family Name City Inver Grove Heights Post Office Address 8458 Bradford Court B: Family Name Russell City Woodbury	Mendota Heights First Given Name Trevor State or Foreign Country Minnesota City Inver Grove Heights First Given Name Scott State or Foreign Country Minnesota	Date:	State & Zip Code/Country Minnesota 55120/U.S.A. C - 3 - 0 2 Second Given Name J. Country of Citizenship U.S.A. State & Zip Code/Country Minnesota 55076/U.S.A. - 3 - 0 2 Second Given Name T. Country of Citizenship U.S.A.
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§1.56 Duty to disclose information mater: a patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

IPLM: 117P45US01

IPLM Group, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PRODUCT The specification of which a. is attached hereto b. 🖾 was filed on April 10, 2002, as application serial no. 10/121,440 and was amended on application) described and claimed in international no. (if applicable) (in the case of a PCT-filed filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto). I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed: a. X no such applications have been filed. b. such applications have been filed as follows: FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119 COUNTRY APPLICATION NUMBER DATE OF FILING DATE OF ISSUE (day, month, year) (day, month, year) ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S) COUNTRY APPLICATION NUMBER DATE OF FILING DATE OF ISSUE (day, month, year) (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented as II
		STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

William D. Bauer David R. Cleveland	Reg. No. 28,052
Michael L. Mau	Reg. No. 29,524 Reg. No. 30,087
Robin A. Sannes	Reg. No. 45,070

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct IPLM Group, P.A., to the contrary.

Please direct all correspondence in this case to IPLM Group, P.A. at the address indicated below:

IPLM Group, P.A. Post Office Box 18455 Minneapolis, MN 55418

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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§ 1.56 Duty to disclose information material to patentability.

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